

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1574 of 1998

in

SPECIAL CIVIL APPLICATION No 9392 of 1998

with

SPECIAL CIVIL APPLICATION No 9392 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE R.K.ABICHANDANI

and

HON'BLE MR.JUSTICE D.A.MEHTA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

THE STATE OF GUJARAT & ANOTHER

Versus

BIJUBEN MATHIBHAI DAMOR

Appearance:

MR AJ DESAI, AGP for the Appellant

MR JV BHAIKAVIA, Advocate for the Respondent

CORAM : HON'BLE MR.JUSTICE R.K.ABICHANDANI

and

HON'BLE MR.JUSTICE D.A.MEHTA

Date of decision: 20/11/2003

ORAL JUDGEMENT

(Per : HON'BLE MR.JUSTICE R.K.ABICHANDANI)

#. The appellants have challenged the judgment and order of the learned Single Judge made on 25.11.1998, allowing the petition of the respondent and directing the appellants to give admission to the respondent's daughter Foramben in the Ist M.B.B.S. course, being a candidate of Scheduled Tribes category, for the academic year 1997-98 on the reserved category of Scheduled Tribes candidates. When the appeal was admitted, interim stay of the impugned order was granted on 22nd February, 1999 by the order made on Civil Application No. 661 of 1999. Therefore, the impugned order of the learned Single Judge directing the appellants to give admission to the respondent's daughter in the Ist M.B.B.S. course for the academic year 1997-98, never operated.

#. Today, when the appeal is called out, it is stated on behalf of the respondent that the respondent's daughter is no more interested in the proceedings having regard to the fact that at the relevant time, the direction to give admission to her was stayed and, therefore, the petition being Special Civil Application No. 9392 of 1998 itself is not now pressed.

#. In this view of the matter, Special Civil Application No. 9392 of 1998 stands disposed of as not pressed and the impugned order of the learned Single Judge will, therefore, not survive. This Letters Patent Appeal stands disposed of accordingly with no order as to costs.

[R.K. ABICHANDANI, J.]

[D.A. MEHTA, J.]

pirzada/-